

Town Board Minutes

June 16, 2014

Meeting No. 17

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 16th day of June 2014 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM , COUNCIL MEMBER
MARK AQUINO, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
JEFFREY SIMME, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
TERRENCE MCCracken, GENERAL CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, DIRECTOR YOUTH BUREAU

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matter:

- Requests a progress report about Lincoln Street closing to one lane.

Chowaniec, Lee, spoke to the Town Board on the following matters:

- Empire State Development Corporation Grant.
- Town website posting of agenda.
- Questions regarding amendment to Town Code as related to re-roofing permits.
- Questions regarding easements.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Amendment to Town Code regarding Yard Sales.
- Purchase of vehicle for the Highway Department.
- Policy regarding use of Town owned vehicles.
- Private road from Townline Road to Ransom Road.

Kazmierczak, Tom, spoke to the Town Board on the following matters:

- Repaving of Lake Avenue south of William Street and request that parking be allowed on only one side of the street.
- Concerns about illegal fireworks.

Symer, Donald, spoke to the Town Board on the following matters:

- Standing prohibition of vehicles on Greenmeadow Drive.
- Town of Lancaster signs on residential streets.
- Refuse collection issues.

Zielen, Karen, spoke to the Town Board on the following matter:

- Concerns regarding illegal fireworks.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held June 2, 2014 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 35797 to Claim No. 36000 Inclusive

Total amount hereby authorized to be paid: \$989,076.30

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
22766		Kenneth & Amarlys Trometer	3950 Walden Ave	Re-Roof	
22767		Kenneth & Amarlys Trometer	34 Hedge Ln	Re-Roof	
22768		Kenneth & Gail Trometer	22 Apple Blossom Blvd	Re-Roof	
22769		Sharon Panasiewicz	58 Erie St	Re-Roof	(V/L)
22771		John W Galbraith	302 Enchanted Forest N	Re-Roof	
22772		Martin J Meiler	45 Holland Ave	Re-Roof	(V/L)
22773		Theresa Janis	1 Sagebrush Ln	Re-Roof	
22774		Joan Kasprzyk	5110 William St	Er. Fence	
22775		Dexter & Melissa Martin III	6 Sugar Mill Ct	Er. Deck	
22776		Susan E Bonadonna	171 Westwood Rd	Er. Fence	
22777		John Bryant Jr.	40 Greenbriar Dr	Er. Shed	
22778		Mark & Laura Dilen	1120 Townline Rd	Re-Roof	
22779		Randall A Moley	58 Briarwood Dr	Er. Fence	(V/L)
22780		Martin Hannah	33 Sagebrush Ln	Er. Fence	
22781		Thomas John Griffin	57 Chestnut Corner	Er. Fence	
22782		Thomas John Griffin	57 Chestnut Corner	Er. Shed	
22783		Timothy Haniszewski	1159 Ransom Rd	Er. Garage	
22784		Timothy Haniszewski	1159 Ransom Rd	Re-Roof	
22785		Connie Borucki	19 Waltham Ave	Er. Res. Alt.	(V/L)
22786		Brian J Stanek	400 Seneca Pl	Er. Res. Alt.	
22787		John J Canonico Jr.	39 Sterling Pl	Er. Fence	
22788		John J Canonico Jr.	39 Sterling Pl	Er. Pool-In Grnd	
22789		Marrano/Marc Equity	29 Jonquille Ct	Er. Fence	
22790		Julie C Ostrowski	63 Caswell St	Er. Fence	(V/L)
22791		Christopher Lewandowski	23 Rue Madeleine Way	Er. Garage	
22792		Darryl & Kristy Kruckowski	50 Trentwood Trl N	Re-Roof	
22793		Koehler Construction	66 Camner Ave	Re-Roof	(V/L)
22794		Antoinette Bosse	241 Pleasant View Dr	Er. Dwlg.-Sin.	
22795		Scott R Gretzler	31 St Joseph St	Er. Fence	(V/L)
22796		Rochester Utility Contractors	6353 Transit Rd	Dem. Sin. Dwlg	
22797		Kristopher & Kimberly Oley	1906 Como Park Blvd	Re-Roof	
22798		Richard & Joann Folck	1170 Penora St	Er. Fence	
22799		Roger Kozak	89 Albert Dr	Re-Roof	(V/L)
22800		Niagara Luthern Health Care	5959 Broadway	Er. Comm. Bldg.	
22801		Stockmohr Co. Inc	47 Stream View Ln	Re-Roof	
22802		The Pool Guy	20 Lancaster Ave	Er. Pool-Abv Grnd	(V/L)
22803		Black Roof Roofing	16 Cobblestone Ct	Re-Roof	
22804		David M Tur	161 Brunck Rd	Er. Shed	
22805		Kevin J Fox	6 Sussex Ln	Re-Roof	
22806		Ryan & Catherine Marchewka	18 Harold Pl	Re-Roof	(V/L)
22807		John & Michele Mendofik	15 Cobblestone Ct	Re-Roof	
22808		James J Vaticano	575 Lake Ave	Er. Garage	
22809		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22810		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22811		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22812		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22813		Bowen Road Acquistion LLC	24 Dover Ct	Er. Dwlg.-Sin.	
22814		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22815		Michael J O'Neill	68 Sterling Pl	Er. Shed	
22816		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22817		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22818		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	

22819	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22820	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22821	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22822	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22823	Sahlems Roofing and Siding Inc	175 Nathan's Trl	Re-Roof	
22824	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22825	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22826	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22827	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22828	The Pool Guy	18 Ann Marie Dr	Er. Pool-Abv Grnd	
22829	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22830	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22831	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22832	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22833	Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
22834	Raymond Kuhn	42 Main St	Er. Res. Alt.	
22835	Keith & Mary Reimer	21 Clermont Ct	Er. Shed	
22836	Douglas S Peita	37 Sagebrush Ln	Er. Res. Alt.	
22837	Frank R Shaun	24 Jonquille Ct	Er. Shed	
22838	Samuel & Katie Hixon	30 St Anthony St	Er. Fence	
22839	James J Rydzynski	290 Seneca Pl	Er. Deck	
22840	Christopher Sobus	21 Stream View Ln	Re-Roof	
22841	RJF Development JV	39 Middlebury Ln	Er. Dwlg.-Sin.	
22842	Joshua & Andrea Roy	34 Squirrel Run	Er. Res. Add.	
22843	Jim's Electric & General Cont	6675 Transit Rd	Er. Comm. Add./Alt.	
22844	Jeffrey Zinn	43 Hillside Pky	Er. Fence	
22845	933 Ransom Road LLC	933 Ransom Rd	Cell Tower Co-location	
22847	Kenneth & Darl Bartlett	138 Stony Rd	Er. Shed	
22848	Brian Stumm	40 Stephens Ct	Er. Res. Alt.	(V/L)
22849	Windsor Ridge Partners LLC	28 Worthington Ln	Er. Dwlg.-Sin.	
22850	Black Roof Roofing	19 Woodlawn Ave	Re-Roof	(V/L)
22851	Dennis & Jean Kihl	30 Lancaster Ave	Er. Porch	(V/L)
22852	Michael Cherven	19 Benson Dr	Re-Roof	(V/L)
22853	Robert & Laurie Ritchie	36 Hidden Trl	Er. Shed	
22854	Sahlems Roofing and Siding Inc	0 Main St	Re-Roof	
22855	Walter & Darlene Wagner	493 Harris Hill Rd	Er. Fence	
22856	Joan A Boersma	1208 Penora St	Er. Deck	
22857	Michael J Pascucci	75 Laverack Ave	Er. Garage	(V/L)
22858	N.A.S. Sign Company	5380 Genesee St	Er. Sign - Pole	
22859	Paint Technology Inc.	47 Heritage Dr	Er. Res. Alt.	
22860	Majestic Pools Inc.	11 Worthington Ln	Er. Pool-In Grnd	
22861	Majestic Pools Inc.	11 Worthington Ln	Er. Fence	
22862	Ashley Lanfear	53 Middlebury Ln	Er. Fence	
22863	Wilson G. Corah	63W Drullard Ave	Er. Fence	(V/L)
22864	Pacific Pools & Spas	1 Buckingham Ct	Er. Pool-In Grnd	
22865	Wm D & Denise Dunlap	12 Greenmeadow Dr	Er. Deck	
22866	Daniel Blesnuk	1 Robins Nest Ct	Er. Shed	
22867	Ann M Vanyo	6 Cobblestone Ct	Re-Roof	
22868	Park Home Improvements	35 Colonial Ave	Re-Roof	(V/L)
22869	M. Walkowiak Remodeling Inc.	74 Holland Ave	Er. Porch	(V/L)
22870	Robert Monti	5813 Broadway	Er. Sign - Temp	
22871	John & Marcella Kutlak	56 Lakeside Cres	Er. Shed	(V/L)
22872	Ronald Race	1 Buckingham Ct	Er. Shed	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, a Public Hearing was held on the 2nd day of June, 2014 for the purpose of amending Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard,

WHEREAS, a Notice of said Public Hearing was duly published and posted

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on June 16, 2014;
3. That a Certified Copy thereof be published in an official newspaper of general circulation on June 19, 2014;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board:
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

ARTICLE X – Parking, Standing, and Stopping

46-12. Parking prohibited in designated locations, is hereby amended by adding thereto the following:

A. The parking of vehicles is hereby prohibited in any of the following locations:

(14) Heritage Hills Subdivision

(j) **At the western most portion of Greenmeadow Drive from the western most property line at #40 Greenmeadow Drive to the point where Greenmeadow Drive changes names and jurisdictions.**

and

ARTICLE X – Parking, Standing, and Stopping

46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:

A. The standing of vehicles is hereby prohibited in any of the following locations:

(14) Heritage Hills Subdivision

(j) **The south side of Greenmeadow Drive from the western most property line at #40 Greenmeadow Drive to the point where Greenmeadow Drive changes names and jurisdictions.**

June 16, 2014

**STATE OF NEW YORK :
COUNTY OF ERIE :
OF LANCASTER :**

THIS IS TO CERTIFY that I, **JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 16th day of June 2014 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 16th day of June, 2014.

Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, a Public Hearing was held on June 2, 2014 for the purpose of amending Chapter 49, “Yard Sales,” by deleting Section 49-2 Application for permit, in its entirety and enacting in place thereof a new Section 49-2, Application for permit section; and also deleting Section 49-5. Posting of signs, in its entirety and enacting in place thereof a new Section 49-5, Posting of signs section of the Code Book of the Town of Lancaster, and

WHEREAS, persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted;

WHEREAS, the Town Board has recommended the proposed amendment of the Code of the Town of Lancaster, County of Erie;

**NOW, THEREFORE, BE IT
RESOLVED, as follows:**

That Chapter 49 “Yard Sales,” Sections 49-2 and 49-5 of the Code of the Town of Lancaster, County of Erie and State of New York, are hereby deleted in their entirety and enacted in place thereof new Sections 49-2 and 49-5 of Chapter 49, “Yard Sales” of the Code to read as follows:

Chapter 49 – YARD SALES

§49-2. Application for permit.

Multiple residences desiring to hold a sale of personal property of any kind whatsoever where the public is invited onto a residential site shall obtain a permit from the Town Clerk’s office of the Town of Lancaster at least 10 days prior to the sale date(s).

§49-5. Posting of signs.

- A.** All signs posted advertising such a sale must be temporary in nature and must be removed immediately after the sale ends. Failure to remove signs in a timely fashion may be reason to deny a future permit.

- B.** Prior to the first day of the yard sale, the Lancaster Highway Department may post “NO PARKING” signs in the neighborhood. At the conclusion of each yard sale activity, the resident hosting the sale is to collect the “NO PARKING” signs and place them in their yard. The signs are not to be disposed of, instead call the Highway Department at 683-3426 informing them of the location of the signs. Town employees will pick up the signs on the first work day following resident notification.

**BE IT FURTHER
RESOLVED,** as follows:

- 1. That the amendment to Chapter forty-nine (49) of the Code of the Town of Lancaster be added in the form attached hereto and made a part hereof;
- 2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on June 16, 2014;
- 3. That a Certified Copy of this Ordinance be published in the Official Newspapers of the Town of Lancaster on June 19, 2014;
- 4. That a Certified Copy of this Ordinance be posted on the Town Bulletin Board;
- 5. That affidavits of Publication and Posting be filed with the Town Clerk;

The question of adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

June 16, 2014

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT OF CHAPTER 49 – YARD SALES
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that Chapter forty-nine (49), “Yard Sales”, Sections 49-2 and 49-5 of the Code of the Town of Lancaster are hereby deleted in their entirety and enacted in place thereof new Sections 49-2 and 49-5 to read as follows:

§49-2. Application for permit.

Multiple residences desiring to hold a sale of personal property of any kind whatsoever where the public is invited onto a residential site shall obtain a permit from the Town Clerk’s office of the Town of Lancaster at least 10 days prior to the sale date(s).

§49-5. Posting of signs.

- A.** All signs posted advertising such a sale must be temporary in nature and must be removed immediately after the sale ends. Failure to remove signs in a timely fashion may be reason to deny a future permit.
- B.** Prior to the first day of the yard sale, the Lancaster Highway Department may post “NO PARKING” signs in the neighborhood. At the conclusion of each yard sale activity, the resident hosting the sale is to collect the “NO PARKING” signs and place them in their yard. The signs are not to be disposed of, instead call the Highway Department at 683-3426 informing them of the location of the signs. Town employees will pick up the signs on the first work day following resident notification.

June 16, 2014

STATE OF NEW YORK	:	
COUNTY OF ERIE	:	SS:
TOWN OF LANCASTER	:	

This is to certify that I, **Johanna M. Coleman**, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Ordinance amendment with the original thereof filed in my office at Lancaster, New York, on the 16th day of June, 2014 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 16th day of June, 2014.

Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Drescher & Malecki LLP, Certified Public Accountants has
duly examined and audited the fiscal affairs of the Town of Lancaster, including the records
and fiscal affairs of the Departments of the Town Clerk and Town Justices for the year ended
December 31, 2013.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster accepts the
report issued by Drescher & Malecki LLP entitled “Statement of Changes in Cash Balances
and Statements of Cash Receipts and Disbursements of the Town Clerk and Town Justices for
the Year Ended December 31, 2013 and Independent Auditors’ Report”.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Drescher & Malecki LLP, Certified Public Accountants has
duly examined and audited the fiscal affairs of the Town of Lancaster for the year ended
December 31, 2013.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster accepts the
report issued by Drescher & Malecki LLP entitled “Basic Financial Statements, Required
Supplementary Information, and Supplemental Schedules for the Year Ended December 31,
2013 and Independent Auditors’ Reports”.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, \$350,000 in grant funds are available through the Empire State Development Corporation toward reimbursement of costs associated with the Lancaster Public Safety Building, Project #U815, and

WHEREAS, the Empire State Development Corporation provides Grant Disbursement Agreements upon conclusion of a project to reimburse grantees for a portion of costs incurred, and

WHEREAS, the Town of Lancaster has completed construction of the Lancaster Public Safety Building and the Lancaster Town Board now seeks reimbursement in the amount of \$350,000 toward expenses incurred;

NOW, THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Empire State Development Corporation for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute all documents pertaining to the application and to the acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Town Law Section 267 and 271 provide that effective January 1, 2007, all Planning Board and Zoning Board of Appeals members in New York State, as well as alternate members of those board, must complete a minimum of four hours of training each year; and

WHEREAS, the above sections of state law provide that a Planning Board or Zoning Board of Appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS, the above sections of state law provide that the legislative body of the town may allow a waiver from said training; and

WHEREAS, Planning Board Chairman Neil R. Connelly in a letter to the Town Board dated March 26, 2014, has requested that the Town Board waive the training requirement for Melvin Szymanski, a Planning Board member for more than 27 years; and

WHEREAS, the Town Board has deemed that Mr. Szymanski has extensive experience on the Planning Board as well as in his capacity at the Erie County Department of Environment and Planning for more than 25 years, where he was responsible for review of the activities in the agricultural districts in Erie County as well as development projects in the Southtowns, and Towns of Newstead and Alden; and

WHEREAS, Mr. Szymanski will continue to educate himself for this position.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster waive the required training for Planning Board Member Melvin Szymanski; and

BE IT FURTHER

RESOLVED, that such waiver shall continue for the remainder of his term as Member of the Town of Lancaster Planning Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, Ronald Rozler, Disaster Coordinator for the Town of Lancaster, in a letter dated June 2, 2014, has advised the Town Board that the Office of Emergency Management no longer has use for a 1993 Ford Diesel Van (Vin# 3FCLF59M4PJA03698) and a 1995 Bus (Vin# 1T75N4B29S1128329) and has therefore requested that the Town Board deem these items to be surplus equipment and permit the Disaster Coordinator to offer this equipment at an online auction, and

WHEREAS, the Town Board has given due consideration to the request of the Disaster Coordinator and deems it in the public interest to declare the beforementioned equipment to be surplus equipment and permit placement of said items on an online auction;

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster hereby declares the beforementioned 1993 Ford Diesel Van (Vin# 3FCLF59M4PJA03698) and 1995 Bus (Vin# 1T75N4B29S1128329) to be surplus equipment and authorizes the Disaster Coordinator to place said items up for public bid at an online auction with Auctions International, 11167 Route 20-A, East Aurora, New York 14052, beginning on June 19, 2014 and concluding on June 29, 2014 with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has the following equipment as surplus equipment:

1. 1993 Ford Diesel Van (Vin# 3FCLF59M4PJA03698)
2. 1995 Bus (Vin# 1T75N4B29S1128329)

This surplus equipment will be auctioned at an online auction with Auctions International, 11167 Route 20-A, East Aurora, New York 14052, beginning on June 19, 2014 and concluding on June 29, 2014.

Successful bidders must provide a payment of 100% of the bid price offered payable to the Town of Lancaster prior to taking possession of the equipment.

The surplus equipment may be inspected at the Town of Lancaster Emergency Management Garage, 525 Pavement Road, Lancaster, New York by contacting the Disaster Coordinator at 684-1232 to make an appointment.

TOWN BOARD
TOWN OF TOWN OF LANCASTER

By: JOHANNA M. COLEMAN
TOWN CLERK

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letters dated June 10, 2014, has requested the appointment of four (4) part-time temporary seasonal laborers to work in the Highway Department.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the position of laborer, part-time temporary seasonal, for a period not to exceed five (5) months, in the Highway Department, and that these being part-time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>PAY RATE/HR.</u>	<u>EFFECTIVE DATE</u>
Alan Friedrich (new hire) Bowmansville, NY	\$8.00	June 17, 2014
Jacob Concannon (new hire) Lancaster, NY	\$8.00	June 17, 2014
Shawn Smith (new hire) Lancaster, NY	\$8.00	June 17, 2014
Shane Smith (new hire) Lancaster, NY	\$8.00	June 17, 2014

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids for One (1) new and unused **2015 Four Wheel Drive Ford XLT Explorer**, for use by the Highway Department, and

WHEREAS, one bid was received, opened and reviewed on June 10, 2014, and

WHEREAS, by letter dated June 10, 2014, Highway Superintendent Daniel Amatura, has recommended awarding the bid for the **2015 Four Wheel Drive Ford XLT Explorer**, to Delacy Ford, 3061 Transit Road, Elma, New York, being the sole responsible bidder in the amount of \$32,996.80, and

WHEREAS, the Highway Department will receive a trade-in allowance for their 2011 Ford F150 XLT Supercab, Short Bed Four Wheel Drive (Vin# 1FTFX1EFXBFA08079) in the amount of \$21,500.00 which will bring the total expenditure for the new **2015 Four Wheel Drive Ford XLT Explorer** to \$11,496.80;

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster, upon the recommendation of Daniel Amatura, Highway Superintendent, hereby awards the bid for one (1) new and unused **2015 Four Wheel Drive Ford XLT Explorer**, to Delacy Ford, 3061 Transit Road, Elma, New York 14059, for use by the Highway Department as it conforms to the specifications on file in the office of the Town Clerk., in the total amount not to exceed \$32,996.80 which will be paid for with funds approved from the 2014 Highway Budget Line Item 13-5110-220 (Passenger Vehicles).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the General Crew Chief Terrence McCracken, by letter dated June 10, 2014, has requested the appointment of part-time temporary seasonal employees to work in the Parks, Recreation and Forestry Department.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the following part-time temporary seasonal positions, for a period not to exceed five (5) months, in the Parks, Recreation and Forestry Department effective June 17, 2014, and that these being part-time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE/HR.</u>
Hannah Reimer (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$ 8.00
Catherine Mailloux (new hire) Lancaster, NY	Recreation Attendant (Playground Attendant)	\$ 8.00

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Terrence McCracken, General Crew Chief of the Parks, Recreation and Forestry Department, by letter dated June 11, 2014, has requested an adjustment to the rate of pay for Michael Emerson, Lifeguard part-time temporary seasonal, due to his assignment to the role of Lifeguard (Supervisor).

NOW, THEREFORE, BE IT

RESOLVED, that the rate of pay for Michael Emerson be adjusted from \$10.00 per hour to \$11.25 per hour, retroactive to June 12, 2014, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

June 16, 2014

COMMUNICATIONS & REPORTS

- 339. Town Clerk to Joanne Rocco –
Notice of special use permit expiration on August 4, 2014.
Disposition = Received & Filed**
- 340. Capt. Marco Laurienzo to Supervisor –
Response to complaint letter regarding Michael Anthony Lane.
Disposition = Received & Filed**
- 341. Jill Monacelli to Supervisor and Town Board –
New York State Retirement Time Reporting. Disposition = Received & Filed**
- 342. Town Attorney to NYSDEC, ECDPW, Erie County Health Dept., Division of
Sewerage Management, NYSDOT, ECDEP –
Request for designation of lead agency for Thomann Asphalt, Temporary Metal
Quanset Steel Building, 70 Gunnville Road. Disposition = Planning Committee**
- 343. Paul Weberg, FEMA to Town Clerk –
Information regarding follow-up to webinars including Discovery Stakeholder
Meetings in three locations. Disposition = Received & Filed**
- 344. NYS Dept. of Transportation to Town Clerk –
Notice of acceptance by NYSDOT of completed work on Rts NY 354 & 952Q in
Towns of Alden, Cheektowaga, Elma, Lancaster, West Seneca & Village of Depew.
Disposition = Received & Filed**
- 345. Planning Board Chairman to Planning Board, Town Board, Town Engineer, Town
Attorney, Highway Superintendent and Building Inspector --
Draft copy of minutes from May 21, 2014 Planning Board meeting.
Disposition = Planning Committee**
- 346. Planning Board to Town Board –
Recommendation to deny rezone petition for 375 & 391 Harris Hill Road.
Disposition = Received & Filed**
- 347. Planning Board to Town Board –
Recommendation to deny rezone petition for north side of Genesee St.
approximately 700' west of Harris Hill Road. Disposition = Received & Filed**
- 348. Town Clerk to Police Chief and Code Enforcement Officer –
Transmittal of application for a Game Room License for AMF Bowling Centers
(Lancaster Lanes). Disposition = Received & Filed**
- 349. Town Clerk to Highway Superintendent, Senior Center Coordinator, Carmen
Ciccarelli, Police Chief, General Crew Chief, Youth Bureau Director and
Town Board --
Information regarding polling places for 2014 Primary & General Elections.
Disposition = Received & Filed**
- 350. Ronald Rozler, Disaster Coordinator to Town Board –
Request for two pieces of equipment to be deemed surplus equipment.
Disposition = Resolution 6/16/14**
- 351. Supervisor to Town Attorney –
Request for resolution to deem two pieces of Town-owned equipment as surplus
and to be sold at auction. Disposition = Resolution 6/16/14**
- 352. Supervising Code Enforcement Officer to Supervisor –
Response to request for construction projects requiring permits.
Disposition = Received & Filed**

353. American Red Cross to Supervisor –
Information regarding Scholarship Blood Drive on July 23, 2014.
Disposition = Received & Filed
354. Erie County Dept. of Health to Supervisor –
Health Advisory #317 – Imported dogs with questionable rabies documentation.
Disposition = Received & Filed
355. Town Attorney to Town Board and Planning Board –
SEQR responses from Division of Sewerage Management and Division of
Environmental Planning regarding Russell's Steak, Chops and More, The Grand
Hotel, 6675 Transit Road; 1,500 sq. ft. bldg. Disposition = Planning Committee
356. Town Clerk to Town Board –
Copy of fourth settlement payment to Erie County for 2014 Monthly County
Settlement. Disposition = Received & Filed
357. Town Attorney to Supervisor, Town Board, Planning Board, Building Inspector,
Town Engineer and Town Clerk –
Notice of SEQR meeting on June 16, 2014 at 6:00PM regarding Rezone: The
Fairways at Lancaster, LLC, 5360 Genesee St, R-1 & RCO to MRF-4.
Disposition = Planning Committee
358. Town Clerk to Town Board –
Clerk's monthly report for May 2014. Disposition = Received & Filed
359. Town Clerk to Various News Media --
Notice of SEQR meeting on June 16, 2014 at 6:00PM regarding Rezone: The
Fairways at Lancaster, LLC, 5360 Genesee St, R-1 & RCO to MRF-4.
Disposition = Planning Committee
360. Supervising Code Enforcement Officer to Town Board –
Recommend renewal of Special Use Permit for 505 Erie Street, Charles
Giambrone. Disposition = Received & Filed
361. Lew Pacanowski, Dog Control Officer to Town Board –
Report for May 2014. Disposition = Received & Filed
362. Supervisor to Town Attorney –
Correspondence from NYS Dept. of Public Service Cable Franchise Transfer from
Time Warner to Comcast. Disposition = Received & Filed
363. Robert Davies, NYSDEC to Supervisor –
Notice of final selections for the Urban Forestry Tree Planting Grants.
Disposition = Received & Filed
364. Village of Lancaster to Town Board –
Minutes from regular meeting held on May 12, 2014.
Disposition = Received & Filed
365. Richard Ball, NYS Dept. of Agriculture & Markets to Agriculture and Farmland
Protection Board Chairs, County Legislative Clerks, County Planners, Cornell
Cooperative Extension Agents, Town Supervisors, Soil & Water Conservation
Districts, American Farmland Trust, Land Trust Alliance & Other Interested
Parties --
Request for Proposals for Farmland Protection Implementation Projects.
Disposition = Received & Filed
366. John Lume to Town Board –
Notice of intent to retire from the Town Highway Dept. effective July 14, 2014.
Disposition = Received & Filed

367. Supervisor to Joan McDonald, Commissioner NYSDOT –
Letter of support for the Village of Lancaster’s grant application with regard to the Transportation Alternatives Project. Disposition = Received & Filed
368. Ronald Rozler, Disaster Coordinator to Town Board –
Revised request for two pieces of equipment to be deemed surplus equipment and posted on an on-line auction site used by the Town.
Disposition = Resolution 6/16/14
369. Supervisor to Town Attorney –
Revised request for resolution regarding two pieces of Town-owned equipment to be deemed surplus. Disposition = Resolution 6/16/14
370. Highway Superintendent to Town Board –
Request for resolution to appoint Alan Friedrich for the 2014 summer season in the Town Highway Dept. Disposition = Resolution 6/16/14
371. Highway Superintendent to Town Board –
Request for resolution to appoint Jacob Concannon for the 2014 summer season in the Town Highway Dept. Disposition = Resolution 6/16/14
372. Highway Superintendent to Town Board –
Request for resolution to appoint Shawn Smith for the 2014 summer season in the Town Highway Dept. Disposition = Resolution 6/16/14
373. Highway Superintendent to Town Board –
Request for resolution to appoint Shane Smith for the 2014 summer season in the Town Highway Dept. Disposition = Resolution 6/16/14
374. Town Clerk to Various News Media –
Notice of cancellation of special meeting of the Municipal Review Committee scheduled for June 16, 2014. Disposition = Received & Filed
375. Highway Superintendent to Town Board –
Request for resolution to purchase one new and unused 2015 four wheel drive Ford XLT Explorer from Delacy Ford, 3061 Transit Road, Elma, NY.
Disposition = Resolution 6/16/14
376. General Crew Chief to Supervisor and Town Board –
Request for change in pay for Michael Emerson, Lifeguard Supervisor for the summer of 2014 in Parks, Recreation & Forestry Department.
Disposition = Resolution 6/16/14
377. General Crew Chief to Supervisor and Town Board –
Request for resolution to appoint two individuals to the position of Recreation Attendant for the summer of 2014 in the Parks, Recreation & Forestry Dept.
Disposition = Resolution 6/16/14
378. Ronald Rozler, Disaster Coordinator to Town Board –
Revised request for two pieces of equipment to be deemed surplus equipment and posted on an on-line auction site used by the Town.
Disposition = Resolution 6/16/14
379. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building Inspector –
Draft copy of minutes from June 4, 2014 Planning Board Meeting.
Disposition = Planning Committee
380. Planning Board to Town Board –
Recommend approval of site plan review for Russell’s Steaks, Chops & More, 6675 Transit Road (storage building). Disposition = Received & Filed

- 381. Planning Board to Town Board –
Recommend approval of site plan review for Thomann Asphalt, 70 Gunnville
Road. Disposition = Received & Filed**
- 382. Planning Board to Town Board –
Recommend approval of site plan review for Edgewater Apartments, 00 & 5828
Broadway; conditions noted. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER RUFFINO AND CARRIED,** the meeting was adjourned in
memory of Robert J. Hoffman and Mary E. Williams at 8:27 P.M.

Signed _____
Johanna M. Coleman, Town Clerk